

### **Remarks**

Applicants have carefully reviewed the Office Action mailed on January 29, 2008, in which claims 1-64 were pending, claims 11-64 were withdrawn and claims 1-10 were rejected. Applicants respectfully request reconsideration in light of the above amendments and following remarks.

#### **Claim Amendments**

Claim 1 has been amended to more particularly claim what applicants regard as the invention. Claims 65-69 have been added. Support for the amendment and new claims may be found, for example, in Figures 10-17. No new matter has been introduced.

### **Claim Rejections Under 35 U.S.C. §102.**

Claims 1-4 and 6-10 are rejected under 35 U.S.C. §102(b) as being anticipated by Tomonto in U.S. Patent No. 6,425,855. Applicants respectfully traverse the rejection.

Tomonto pertains to a stent having a first layer extending throughout the stent and selective reinforcement sections applied to the first layer. Tomonto does not disclose, as claimed in amended claim 1, a first composite elongated member having an outer member surrounding and encasing an inner member and “wherein said first composite elongated member has a solid cross-section.”

Any cross-section of Tomonto where an outer member surrounds and encases an inner member is hollow, not solid. A partial cross-section as in Figure 3 of Tomonto illustrates that any solid cross-section does not have one member surrounding and encasing another.

Applicants therefore submit that Tomonto does not teach each and every element of the claimed invention, and for at least this reason, claim 1 is in condition for allowance over Tomonto. For at least the reason that claims 2-4 and 6-10 (and 65-69) depend from claim 1 and contain additional limitations, applicants submit that these claims are likewise in condition for allowance.

### **Claim Rejections Under 35 U.S.C. §103**

Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Tomonto in view of Moore in U.S. Patent Application Pub. No. US 2004/0024444. For the reason

set forth above, Applicants respectfully submit that amended claim 1 is patentable over Tomonto. Moore fails to overcome the deficiencies of Tomonto. Consequently, Applicants respectfully submit that amended claim 1 is patentable over the combination of Tomonto and Moore, to the extent that such a combination is even possible. Because claim 5 depends from claim 1 it is also patentable for the same reasons as claim 1 and because it adds significant elements to distinguish it further from the art.

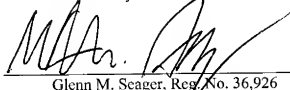
**Conclusion**

Reexamination and reconsideration are requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

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Respectfully submitted,



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